

<div>CITY OF SAN JOSÉ, CALIFORNIA Department of Planning, Building and Code Enforcement 801 North First Street, Room 400 San José, California 95110-1795</div> <div>STAFF REPORT</div>	Hearing Date/Agenda Number P.C. 4/24/02 Item 4.a.
	File Number PDC01-08-085
	Application Type Planned Development Rezoning
	Council District 3
	Planning Area Central
	Assessor's Parcel Number(s) 472-27-090, -096, -107
PROJECT DESCRIPTION	
Completed by: John Davidson	
Location: North side of Patterson Street, approximately 200 feet east of S. Third Street (131 Patterson Street)	
Gross Acreage: 1.20 acres	Net Acreage: 1.17 acres
Net Density: 65 DU/AC	
Existing Zoning: LI Light Industrial	Existing Use: Vacant
Proposed Zoning: A(PD) Planned Development	Proposed Use: Up to 78 multi-family attached residential units
GENERAL PLAN	
Land Use/Transportation Diagram Designation Residential Support for the Core (25+ DU/AC)	Completed by: JED Project Conformance: [♥] Yes [] No [] See Analysis and Recommendations
SURROUNDING LAND USES AND ZONING	
Completed by: JED	
North: Interstate 280	N/A
East: Residential and Commercial	R-M Multi-Family Residential and A(PD) Planned Development
South: Industrial	LI Light Industrial
West: Residential	R-M Multi-Family Residential
ENVIRONMENTAL STATUS	
Completed by: JED	
[] Environmental Impact Report to be considered [X] Negative Declaration circulated on 4/4/02 [] Negative Declaration adopted on	[] Exempt [] Environmental Review Incomplete
FILE HISTORY	
Completed by: JED	
Annexation Title: Original City	Date: March 27, 1850
PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION	
[X] Approval [] Approval with Conditions [] Denial	Date: _____ Approved by: _____ [] Action [♥] Recommendation
APPLICANT	
OWNER	
Barry Swenson, Builder Attn: Dawn Anderson 777 N. First Street, Fifth Floor San Jose, CA 95112	Green Valley Corp. Attn: David Gibbons, Vice-President 777 N. First Street, Fifth Floor San Jose, CA 95112

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: AD

Department of Public Works

See attached memo

Other Departments and Agencies

See attached memos from Police Department, Fire Department, Environmental Services, and Valley Transportation Authority.

GENERAL CORRESPONDENCE

None Received.

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The applicant, Barry Swenson Builder, is requesting a Planned Development Rezoning from LI Light Industrial to A(PD) Planned Development to allow up to 78 multiple-family attached units, on approximately 1.2 gross acres located on the north side of Patterson Street, approximately 200 feet east of S. Third Street. This is proposed as a for rent apartment project.

The subject site, which is currently vacant, occupies the eastern half of the block bounded by Patterson S. Third, Margaret, and the former S. Fourth Streets. Surrounding uses include Interstate 280 to the north of the project, an auto body shop to the east, industrial and residential uses to the south along Patterson Street, and residential uses to the west along S. Third Street.

The subject site is located within the East Gardner neighborhood, generally bounded by Highway 280 to the north, Sixth Street to the east, Keyes Street to the south, and Second Street to the west. The area is comprised of a mix of older, predominantly single-family residential uses, underutilized industrial parcels, and a mix of small-scale commercial uses. A number of structures listed on the City of San Jose Historic Resources Inventory are also present in the neighborhood.

In 1986 the City Council amended the General Plan, changing the land use designations for the existing industrial lands, approximately 50 acres total, within the East Gardner neighborhood from Heavy Industrial to Residential Support for the Core (25+ DU/AC). Since the General Plan Amendment, the City has approved a three-story 191-unit 100% affordable family development at Sixth and Martha Streets by JSM Enterprises, now under construction. If approved, this project at Patterson Street would be among the first new residential developments in the East Gardner neighborhood, since the City Council changed the General Plan from industrial to high density residential over 16 years ago.

The East Gardner neighborhood presents many of the same opportunities, development issues, and potential for significant redevelopment as found in the Midtown and Jackson-Taylor specific plan areas, and has been the subject of an ongoing specific planning process (“East Gardner Specific Plan”) that is expected to conclude this summer or early fall. The specific planning process is addressing the need for new parks, schools, and a safe, convenient circulation system for both autos and pedestrians, and anticipates development of the subject site with high density housing. The challenge for the City, community, and the development community is to plan for this coming transformation to produce a new, cohesive high-density, mixed use neighborhood, complete with adequate community facilities and services, that complements existing adjacent neighborhoods.

The proposed project is a three-story apartment building centered on an interior courtyard. Six different unit plans are proposed, ranging in size from a 650 square foot one-bedroom plan to a 1,500 square foot three-bedroom plan. The majority of units would be one and two bedroom units. There are also sixteen 880 square foot loft units included in the proposal.

Common open space is provided in the courtyard area. All units facing the courtyard feature minimum 60 square foot patios or balconies. Elevated noise levels preclude useable patios and balconies for units facing the perimeter of the site.

A total of 130 parking spaces are provided, in accordance with the City of San Jose’s residential parking standards. Vehicular access occurs via a driveway on Margaret Street, taking access from Third Street. On Patterson Street pedestrians can access the project from the main entrance leading up to the podium level. On Patterson and Margaret Streets ground floor units feature individual entries which are accessible from the sidewalk. Access to the upper level units occurs via interior stairways and a lobby elevator.

GENERAL PLAN CONFORMANCE

As mentioned above, in 1986 the City Council amended the General Plan, changing the land use designations for the existing industrial lands, approximately 50 acres total, within the East Gardner neighborhood from Heavy Industrial to Residential Support for the Core (25+ DU/AC). The proposed use, at a density of 65 DU/AC is consistent with the San Jose 2020 General Plan Land Use/Transportation designation of Residential Support for the Core (25+ DU/AC) which allows development with commercial uses on the first two floors with residential on upper floors, as well as wholly residential projects. Furthermore, the site is within the Downtown Frame, where General Plan Urban Design height policies allow a maximum building height of 120 feet. At a proposed maximum building height of 50 feet, the project conforms to this General Plan policy.

The project is also consistent with several General Plan Major Strategies, such as Growth Management, Housing, and Sustainable City, in that the project makes efficient use of an existing urban infill site by providing high density housing near major transportation corridors and jobs. Additionally, high-density infill housing is an integral component of the Downtown Revitalization Strategy.

ENVIRONMENTAL REVIEW

An Initial Study was prepared for this project and a Negative Declaration was circulated for public review and comment by the Director of Planning on April 4, 2002. Both documents are attached for reference. The Initial Study, among other documentation, included a traffic analysis and a noise report.

The traffic analysis concluded that the development is projected to add 47 a.m. peak hour trips and 47 p.m. peak hour trips, and 470 daily trips. Project traffic impacts were analyzed according to City of San Jose methodology and the project was determined to be in conformance with the Level of Service Policy (Council Policy 5-3).

The noise report concluded that the ambient noise environment in the project vicinity exceeds 60 dBA and therefore, future project residents would be exposed to elevated noise levels. The primary source of noise at the project site is traffic. Aircraft flying over the site from the San Jose International Airport were observed to produce high maximum noise levels on the site, however, the site is outside the 60 CNEL noise contour under existing and future (2010) conditions. The industrial land uses to the east and south of the site were not observed to produce significant noise levels at the project site. Construction noise impacts could also impact these nearby sensitive receptors. To mitigate noise impacts to project occupants, the building design will feature sound rated windows, forced air mechanical ventilation so windows could be kept closed, and special building construction techniques such as insulation and soundproofing. A construction noise mitigation program will be developed and implemented at the permit stage.

The project is located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. To address the contamination, the applicant has prepared a Corrective Action Plan (CAP). Santa Clara Valley Water District staff has approved the CAP and reviewed and accepted the Remedial Action Completion Report documenting the implementation and verification of the CAP, and has issued a Fuel Leak Site Case Closure letter. Corrective actions performed on the property have resulted in the excavation and removal of impacted soil and groundwater from identified areas of high concentration. The CAP and Completion Report have also been reviewed by City of San Jose Environmental Services Department staff, and the site is considered suitable for residential land use. No further action is required.

ANALYSIS

The primary project issues include the scope of review at the Planned Development Permit stage, and conformance with the Residential Design Guidelines.

Planned Development Permit Details. The City of San Jose Planned Development zoning process has two separate parts: the Planned Development Zoning approval and the Planned Development Permit. The Planned Development Zoning, which is before the Planning Commission and City Council, is meant to define the allowed use, development standards, and the building envelope of a project. Unit plans, exterior building materials, and other site design details are normally finalized as a part of the Planned Development Permit process. In recent years, Planned Development Zoning packages have included increased levels of architectural detail. In this case, however, the applicant has requested to defer many of the design details to the Planned Development Permit stage. The following items remain to be addressed at the Planned Development Permit Stage and are conditions of approval of the project:

1. Unit plans showing room layouts and private open space. The applicant has provided conceptual unit plans, but will be presenting dimensioned floor plans at the PD Permit stage. The applicant has correctly pointed out that dimensioned unit plans are not technically required for a Planned Development Zoning submittal.
2. Schematic elevations. The applicant has provided conceptual elevations, but needs to provide dimensioned elevations that reconcile with the proposed floor plans. At this point, the overall building design should also be considered conceptual in nature. Staff expects to see exterior finish and roof materials and decorative details of very high quality at the Planned Development Permit stage.
3. Street-level architectural elements. The applicant has been directed to make doors and porches more visible, and provide stoop entrances for first floor units facing Margaret and Patterson Streets.
4. Finished First Floor Elevation. Building elevations that show the first floor no greater than 5' above grade.
5. Ground floor materials, including garage doors, venting, and screening will be finalized during the PD Permit process. These features are important, because they are at eye level to passing pedestrians and therefore define the streetscape.
6. Motorcycle Parking. The applicant is required to provide motorcycle parking as required by the parking section of the current Zoning Ordinance, which is one parking space per four units.
7. Landscaping. The applicant is required to specify street trees and courtyard landscaping at the PD Permit stage.

Conformance with the Residential Design Guidelines. The project has been reviewed for conformance with the applicable guidelines for podium cluster housing. There are several key aspects of the project design and architecture that merit discussion.

Ideally, the garage should be depressed so first floor units are no more than 4-5 feet above grade. Limiting this height allows first-floor units to relate to the sidewalk with stoop entrances. As stated above, the applicant is required to provide revised elevations showing this design at the Planned Development Permit stage.

Stoops provide a connection between the public realm and private living space, and express the presence of individual units. Stoops also help hide the garage level and break up long street elevations. The stoops that are included in this project are a positive benefit to the development of an interesting and safe pedestrian environment.

There are other aspects of the conceptual architecture that need refinement at the Planned Development Permit stage. The conceptual elevation provided uses the industrial history of the East Gardner area as a starting point, and the image that the building presents is of a converted industrial building. Staff feels that this industrial motif is appropriate for the neighborhood context. Building materials and relief will play a fundamental role in defining the character of this building and relationship to other existing and proposed buildings. At the Planned

Development Permit stage, staff will work with the applicant to produce a final architectural design that is compatible with the City Landmark American Can Company Building at 5th & Martha Streets and the proposed Brickyard residential development at 1050 South Third (PDC00-10-104, also to be heard at the April 24, 2002 Planning Commission)

Trim materials, such as the metal shutters at the east end of the Patterson Street façade can be both small and memorable. Relief, including the arches along the roofline, and the columns that separate the arches are important in providing a sense of depth, and decrease the boxiness of the building. Staff will work with the applicant at the Planned Development permit stage to insure that these features are incorporated into the final design.

CONCLUSION

This proposal provides needed housing close to the downtown core at urban densities. With the exceptions of the design issues described above, which staff expects to resolve at the Planned Development Permit stage, the proposal meets design standards for high-density residential development, and should be a positive contribution to the surrounding neighborhood. It should also serve as a valuable addition to the planned redevelopment of the East Gardner area and point the way for other new proposals.

PUBLIC OUTREACH

A community meeting was held November 14, 2001 to present and discuss the proposal. Jonathan Noble from Councilmember Chavez' office, Planning staff, and the project development team attended. Neighbors raised concerns regarding project traffic, the availability of parking, and the desire for artist's housing in the area. Staff explained the project was providing parking in accordance with established requirements for high-density housing, and that project traffic impacts had been analyzed, as discussed below. Traffic and parking concerns are common when significant new development is proposed in a neighborhood.

RECOMMENDATION

Staff recommends the Planning Commission forward a recommendation of approval and the City Council adopt an ordinance rezoning the subject site for the following reasons:

1. The proposed rezoning conforms to the subject site's General Plan Land Use Diagram Designation of Residential Support for the Core (25+ DU/AC).
2. The proposed project furthers the City's Downtown Revitalization Strategy by providing new high density housing in the Downtown Frame. The project's residents are expected to support commercial and entertainment uses in the downtown, helping promote the concept of a "24-hour" downtown that retains its vitality after the workday hours.
3. The proposed project is compatible in scale with the adjacent neighborhood to the west and compatible in visual character to the surrounding industrial uses to the south and west.
4. The project will be a catalyst for implementation of the draft East Gardner Specific Plan.

c: Owner, Developer